

Message Text

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51 S
ACTION SS-30

INFO OCT-01 ISO-00 /031 W
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R 091125Z NOV 73
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 8887
DEPARTMENT OF DEFENSE WASHDC
INFO AMEMBASSY BUDAPEST
AMEMBASSY JAKARTA
AMEMBASSY OTTAWA
AMEMBASSY TEHRAN
AMEMBASSY WARSAW

S E C R E T SAIGON 19252
EXDIS
E.O. 11652: GDS
TAGS: MILI, VS
SUBJECT: ICCS SUPERVISION OF WAR MATERIALS ENTERING SVN

REF: (A) SECDEF 6670 OF 08 NOV 1973; (B) SECSTATE 212451

1. WE NOTE FROM REF A THAT DOD SPOKESMAN TOLD PRESS NOVEMBER 7 THAT ICCS HAS COMPLETE ACCESS TO ALL U.S. ARMS SHIPMENTS TO SVN. THIS STATEMENT IS NOT ACCURATE AS THE FOLLOWING SUMMARY OF THE STATUS OF ARTICLE 7 OF THE PARIS AGREEMENT WILL SHOW.

2. THE ICCS AS A BODY HAS NEVER REQUESTED ACCESS TO U.S. ARMS SHIPMENTS TO SVN. REASON GIVEN IS THAT TPJMC, WHICH SHARES WITH ICCS RESPONSIBILITY FOR SUPERVISION OF ARTICLE 7, HAS NOT TAKEN ACTION IN THE MATTER. TPJMC HAS BEEN IMMOBILIZED BY THE COMMUNIST REFUSAL TO NAME POINTS OF ENTRY AND TO DISCUSS MODALITIES FOR SUPERVISION OF THE REPLACEMENTS OF ARMAMENTS UNDER ARTICLE 7 OF THE PARIS AGREEMENT. THUS THE QUESTION OF ICCS "ACCESS" TO U.S. SHIPMENTS OF WAR MATERIALS TO SVN HAS NOT REPEAT NOT ARISEN.

3. WHEN THE CANADIANS WERE MEMBERS OF THE ICCS, THEIR DELEGATION ASKED FOR AND WERE GRANTED PERMISSION, BY THE GVN AND OURSELVES, TO CHECK ON U.S. ARMS SHIPMENTS TO SVN ON THEIR OWN RESPONSIBILITY. INDONESIAN DELEGATION OCCASIONALLY ALSO TOOK
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PART IN THOSE INSPECTIONS. AT THAT TIME THERE WAS STILL HOPE THAT ARTICLE 7 MIGHT BE IMPLEMENTED BY THE COMMUNISTS. THIS HOPE SOON EXPIRED AND THERE HAS BEEN NO INSPECTION OF U.S. ARMS SHIPMENTS BY ANY ICCS DELEGATION SINCE DEPARTURE OF

CANADIANS AT END OF JULY. CANADIAN EMBASSY HERE TELLS US THAT CANADIAN DELEGATION RECORDS OF THESE INSPECTIONS HAVE BEEN SHIPPED TO OTTAWA.

4. AS DETAILED REF B, COMMUNISTS HAVE FAILED UTTERLY TO COMPLY WITH ARTICLE 7 OF PARIS AGREEMENT. IN THESE CIRCUMSTANCES THE U.S. AND GVN CANNOT, OF COURSE, SUBMIT TO UNILATERAL INSPECTION BY ICCS OF U.S. ARMS SHIPMENTS TO RVN. EVEN IF THAT BODY WERE TO REQUEST PERMISSION TO INSPECT OUR SHIPMENTS, WE COULD NOT ACCEDE. WE HAVE DISCUSSED THIS MATTER WITH THE GVN, WHICH IS IN FULL AGREEMENT.

5. PENTAGON SPOKESMAN IS, HOWEVER, ENTIRELY CORRECT IN SAYING THAT U.S. IS LIVING UP TO THE PARIS AGREEMENT. IN ANSWERING FUTURE PRESS QUERIES ON THIS SUBJECT U.S. SPOKESMEN SHOULD STRESS THAT U.S. AND GVN ARE COMPLYING FULL WITH ARTICLE 7 OF THE AGREEMENT WHILE POINTING OUT THAT COMMUNISTS ARE MASSIVELY VIOLATING ARTICLE 7 AND HAVE FRUSTRATED EFFORTS TO ESTABLISH INSPECTION MECHANISM PROVIDED IN THE AGREEMENT. MARTIN

NOTE BY OC/T: EXDIS CAPTION ADDED PER S/S-O - MR. PERKINS.

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